

NGO DECLARATION IN SUPPORT OF URGENT, GLOBAL FISHERIES REFORMS:  
A CALL FOR ACTION BY ENVIRONMENTAL, FISHWORKER, AND OTHER NGOS  
JULY 1995

1. A diverse group of non-governmental environmental, fishworker and other groups worldwide present this Declaration to call attention to the problems of the global fisheries crisis and the need for urgent reforms at global, regional, national and local levels. While reforms at all levels are essential, this Declaration focuses on what is needed internationally - at global and regional levels - as a benchmark or foundation for more stringent measures, where needed, at the sub-regional, national and local levels.
2. This Declaration draws upon the NGO Fisheries Treaty of June 1992, the July 1993 NGO Statement to the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks (UN Fisheries Conference), the March 1995 NGO Statement to the Rome Ministerial Meeting on Fisheries and various NGO statements and interventions, individually and collectively. It also draws upon the relevant provisions of UNCED Agenda 21, the Convention on Biological Diversity, the World Summit for Social Development, the International Covenant on Economic Social and Cultural Rights, the Ministerial-level Rome Consensus on World Fisheries and other instruments, resolutions and declarations.
3. Building on these prior statements and agreements, this Declaration is intended for use in relation to several important meetings and fora. These include, amongst others, the final session of the UN Fisheries Conference (24 July-4 August 1995), the meetings of the FAO Council and Conference at which the FAO Code of Conduct for Responsible Fisheries will be finalized and adopted (October 1995), the UNEP Conference for the Protection of the Marine Environment from Land-Based Activities (23 October-3 November 1995), the second Conference of the Parties to the Convention on Biological Diversity (6-17 November 1995), and the Fourth Session of the UN Commission for Sustainable Development (late April 1996), which will focus, inter alia, on the Oceans Chapter of Agenda 21.

THE CONTEXT FOR URGENT ACTION:

4. The increasing sophistication in the technology to harvest, process, store and transport fish and fish products, coupled with rising demand and the expanding scope of international trade, markets and investment, has been a driving force behind fisheries development over the past several decades. Many countries have pursued policies designed to maximize export earnings and fisheries production, often under pressure to service foreign debt, and often to the detriment of fish stocks, marine biodiversity and coastal communities.
5. Most major fisheries are fully exploited, over-exploited or depleted. In addition to the 80-85 million tons of fish landed annually, the most conservative estimates of bycatch and waste indicate that 17 to 39 million tons of fish are caught and discarded every year. These estimates do not include marine species such as marine mammals, sea turtles, seabirds and some invertebrates. Industrialized fishing fleets worldwide are grossly over-capitalized, operating at significant losses and fishing well beyond the limits of sustainability as a result of unsustainable fisheries development policies and investment. The FAO has estimated that the world's fishing fleet incurs losses of more than (US) \$50 billion annually and that an outrageous 46 percent of the value of all fish landed is required as return on capital invested in fishing fleets. Yet, large-scale industrial fleets continue to be heavily subsidized. As nations and fleets compete for declining fish stocks, conflicts will only continue to occur with increasing frequency throughout the world.
6. Artisanal fishworkers, both men and women, are increasingly struggling to maintain or regain traditional access to marine resources, protect the environment and sustainably manage their fisheries. In spite of the fact that artisanal fisheries supply at least 50 percent of the world's fish supplies for human consumption, they receive little recognition, support or protection. Marine and coastal areas are being increasingly degraded by land based sources of marine pollution and environmentally inappropriate coastal development (e.g. ecologically unsound tourism, industrial projects etc). In particular, the environmental damage and socio-economic disruptions associated with intensive coastal aquaculture for high value species such as shrimp, prawns and salmon are an issue of great concern to our organizations.
7. Substantial political will is required to address the deteriorating condition of fisheries and ocean health in general. With the November 1994 entry into force of the UN Convention on the Law of the Sea, that global agreement serves as a foundation for more fully elaborating and strengthening requirements regarding the rights and responsibilities of nations in order to ensure effective fisheries conservation and marine environmental protection. Though all relevant

Accn NO: 2391

MFN NO: 2459

mechanisms or instruments should be viewed as opportunities to advance these issues, we would like to emphasize that codes of conduct, resolutions, declarations or other agreements that are voluntary in nature are unacceptable substitutes for legally binding agreements.

8. At the same time, the negotiation of international agreements must serve as more than just an exercise in rhetoric or a means of advancing national self interest to the detriment of the broader common or social good. Where they exist, agreements that advance fisheries conservation, the protection of the marine environment and the rights and interests of artisanal and offshore fishworkers must be fully reflected in State practice at the local, national and international levels.

#### NEEDED ACTIONS AND REFORMS:

9. With regards to specific action needed, this Declaration addresses several fundamental issues for attention and more importantly, urgent action. While this is not an exhaustive list, it is intended to highlight critical areas of concern. These include:

10. CONSERVATION: While important steps in the right direction have been taken, given the severity of problems facing world fisheries, and the increasingly adverse impacts on oceans in general, neither the UN Fisheries Conference Treaty nor the FAO Code of Conduct for Responsible Fisheries reflect the level of action and commitments required to ensure long term conservation. The UN Fisheries Conference treaty has the potential to set important precedents in international law for the conservation and management of fisheries generally as well as the protection of associated, dependent and ecologically related species. However, this will require serious commitments and implementation, both at the regional and national levels, in addition to strengthening a number of its provisions as discussed below. The FAO Code of Conduct, though only voluntary, does contain some provisions which, if adopted, could serve to advance fisheries conservation. At the same time, however, many of the principles contained in the Code are so severely compromised by the addition of such phrases as "where appropriate", "to the extent possible", and "in accordance with national laws" that the Code risks being of limited value, if any, on a number of issues of importance to NGOs.

11. BYCATCH, WASTE AND DISCARDS: Bycatch and waste in fisheries worldwide must be addressed more thoroughly at the international level. Apart from the serious implications for the sustainable management of fisheries and the protection of associated and dependent species, non-selective fishing gears and techniques threaten severe economic and social impacts. Agenda 21, the 49th United Nations General Assembly, and the FAO Ministerial-level Rome Consensus have called for urgent measures to reduce the levels of bycatch in fisheries worldwide. The FAO estimates that at least a 60 percent reduction in bycatch is possible by the year 2000. At a minimum, international agreements, in particular the UN Fisheries Conference Treaty (e.g. Article 5(f)), must contain provisions that require, rather than merely promote or encourage, the use of selective gears and techniques. In addition, this obligation must be followed up with concrete policies and programs to reduce and ultimately eliminate bycatch, waste and discards in fisheries.

12. PRECAUTIONARY APPROACH: In recent years there has been a shift toward increasing recognition of the need to develop and manage fisheries from a precautionary approach. While this shift needs to become much more pronounced, the recognition, acceptance and mandatory application of a precautionary approach as contained in the provisions of the UN Fisheries Conference Treaty has been a significant step forward. However, this approach to fisheries management on both the high seas and within Exclusive Economic Zones (EEZs) must be reinforced. All fishing needs to be brought under more concrete and precautionary controls. Moreover, the stringency of such controls, and the speed with which they are implemented should be directly proportional to the magnitude of fishing effort and/or the potential for environmental harm.

13. OVERCAPITALIZATION, EXCESS CAPACITY, AND SUBSIDIES: Neither the UN Fisheries Conference Treaty, nor the FAO Code of Conduct comes anywhere close to adequately addressing these issues. Massive government subsidies which support large-scale, industrial fishing and fish processing must be phased out. Rather, funding should be directed toward promoting ecologically sound and socially and culturally equitable fisheries management and development. The problem of excess fishing capacity must be urgently addressed and, in so doing, must not result in shifting fishing capacity to fisheries or regions of the world vulnerable to overfishing. This should particularly apply to the practice of northern corporations or countries seeking access to southern countries' waters and

fisheries to the detriment of coastal fishworkers and the environment.

14. **CONSISTENCY AND COMPATIBILITY:** Even with the establishment of EEZs, overfishing has continued to be rampant throughout the world both within EEZs and on the high seas. As Chairman Satya Nandan of the UN Fisheries Conference stated in March 1995, two years after the UN Fisheries Conference began, "...the situation regarding fisheries resources has not improved since this Conference began. In fact, it is steadily deteriorating." The general principles for fisheries conservation contained in the UN Fisheries Conference Treaty must apply unequivocally to fisheries inside the EEZs as well as fisheries on the high seas.

15. **MONITORING, CONTROL, SURVEILLANCE, AND ENFORCEMENT:** Enforcement measures must be stringent enough to ensure fisheries conservation and the protection of the marine environment. Strict management measures and effective enforcement are both necessary; without both conservation cannot be ensured. The UN Fisheries Conference Treaty does contain measures which should improve the ability of countries to take enforcement action against vessels fishing on the high seas. It is critical, though, that measures to ensure compliance of both fishing fleets and States be developed and agreed in relation to regional and global fisheries conservation agreements.

16. **MARINE ENVIRONMENTAL PROTECTION:** Protection of coastal areas and the marine environment is critical to the conservation of marine species in general and fish stocks in particular. It is imperative that governments recognize the importance of this, and act accordingly. Among other initiatives, the UNEP sponsored global conference on land-based sources of marine pollution in October 1995 provides an important opportunity to take effective action at the international level. Among other requirements, the Global Program of Action adopted by the conference participants must agree to phase-out and ban the production of persistent organic pollutants, especially organohalogen compounds and PCBs, and to address sewage-related problems much more effectively. At the regional level, the issue of nuclear testing - which is widely opposed by peoples around the world - is of great concern in the South Pacific, particularly in relation to atolls and lagoons. As part of the follow-up to the recent extension of the Treaty on the Non-Proliferation of Nuclear Weapons, it is incumbent on governments to agree expeditiously on a comprehensive test ban treaty (CTBT) as part of ongoing efforts to ensure effective marine environmental protection.

17. **BIOLOGICAL DIVERSITY:** Excessive and indiscriminate exploitation of fish stocks and the use of destructive fishing technologies have serious implications for marine biodiversity. The clear obligation to protect marine biodiversity and the application of the precautionary approach to fisheries should be both reaffirmed and further strengthened through ongoing consideration of marine biodiversity especially in the framework of the Convention on Biological Diversity. In this regard, special measures are needed to ensure the use of environmentally appropriate fishing technologies and practices, to establish and maintain marine reserves or protected areas recognizing ecologically appropriate traditional use and customary fisheries practices, as well as to ensure that critical habitats such as coastal mangrove forests, wetlands, nursery areas and foraging grounds are protected.

18. **RIGHTS AND INTERESTS OF FISHWORKERS:** Access to fisheries must recognize the needs of communities and be based on equitable principles and respect for the environment. The rights and interests of subsistence, small-scale, artisanal, indigenous and women fishworkers and dependent communities are increasingly being recognized as important issues in fisheries and marine negotiations. Agenda 21, the UN Fisheries Conference Treaty, the Convention on Biological Diversity, and the FAO Code of Conduct for Responsible Fisheries incorporate some recognition of these interests.

19. The rights and special interests of subsistence, artisanal, indigenous, women and other fishworkers traditionally and culturally dependent on fish for food and livelihood must be firmly established in international law. In addition, given the critical contribution of small-scale fisheries to world food supplies and the health and well being of coastal communities, concrete programs to meet their needs will be needed at the national and international levels. These should include mechanisms and funding for research into the role and importance of small-scale fisheries; participation in fisheries decision-making; training in fisheries conservation, fishing, appropriate fishing technologies, and fish handling and marketing, especially for women.

20. Programs also must be established to facilitate the incorporation of traditional knowledge in fisheries management and recognize the needs of fishworkers in relation to basic safety and labor rights, poverty alleviation, employment, and

social integration. In this regard, governments must implement the commitments contained in the Declaration and Program of Action of the 1995 World Summit for Social Development. In addition, the rights of offshore fishworkers to organize, engage in collective bargaining, and obtain social security must be recognized to ensure safe and dignified working conditions. Whether through the FAO Code of Conduct or other relevant agreements, all nations as well as the International Labor Organization (ILO) and the International Maritime Organization (IMO) should be encouraged to establish and implement effective international standards with respect to working conditions on offshore fishing vessels.

21. FISHERIES TRADE AND CONSUMPTION: Fish is a critical source of food for hundreds of millions of people worldwide, particularly, though not exclusively, in developing countries. The International Covenant on Economic, Social and Cultural Rights recognizes the right of all peoples to adequate supplies of food and obligates nations to ensure the equitable distribution of world food supplies. Among relevant resolutions, the Universal Declaration on the Eradication of Hunger and Malnutrition, endorsed by UN General Assembly Resolution 3348, and the World Declaration on Nutrition from the 1992 FAO/WHO-sponsored International Conference on Nutrition both assert the rights of peoples to adequate supplies of food.

22. Rising demand in industrialized countries for high value species of fish is driving destructive fisheries practices worldwide, including shrimp trawl and aquaculture, with negative impacts on coastal wetlands, mangroves, marine biodiversity and coastal fishing communities. Both unsustainable fishing practices and the promotion of trade to the detriment of peoples traditionally dependent on local supplies of fish for food and nutrition are serious threats to global food security. Unfortunately, the UN Fisheries Conference Treaty makes only a passing reference to the role of fisheries in nutrition and the FAO Code of Conduct places excessive emphasis on unrestrained international trade in fisheries products. Governments must take the commitments in relation to nutritional rights contained in relevant agreements and fora, and fully incorporate and act upon these commitments at the global, regional and national levels.

23. TRANSPARENCY AND PUBLIC PARTICIPATION: The historical lack of transparency and broad-based public participation has contributed to weak fisheries and ocean-related policies and programs. Improving access to information, transparency and public participation are crucial to ensuring the success of fisheries conservation and management and the protection of marine and coastal environments. The need to ensure effective NGO participation has increasingly been recognized within the UN system, and, with respect to fisheries, in Agenda 21, the Ministerial-level Rome Consensus, and the FAO Committee on Fisheries in relation to the drafting of the FAO Code of Conduct. Yet, although the UN Fisheries Conference Treaty contains a general provision related to transparency, it does not recognize public participation as a general principle. In addition, the Treaty will fail to prevent regional fisheries management organizations from adopting policies (exorbitant entry fees, denial of observer status) which serve to exclude NGOs from participation.

24. Whether at the local, national or international level, we believe that fishworkers, environment, development, women, trade union, consumer and other NGOs need to be fully involved in the decision-making with respect to fisheries conservation and management, development, law, investment and aid. Overall, national, regional and international fisheries management organizations and other relevant inter-governmental agencies must ensure effective public participation, transparency and accountability in their decision-making and all other activities.

25. CONCLUSION: The crisis in world fisheries continues. Two years ago, the July 1993 NGO Statement to the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, which was endorsed by more than 130 organizations worldwide, emphasized that "absent major reforms, this crisis promises increasingly harmful ecological, economic and social impacts." At present, while some progress has been achieved, major reforms are still required to ensure conservation and an ecologically sound approach to fishing both on the high seas and within EEZs, to protect and preserve marine and coastal habitats and ecosystems and to support and strengthen subsistence, artisanal, indigenous, women, small-scale and traditional fishers, fishworkers and communities worldwide. We urge representatives of all nations to heed the recommendations for action in this declaration to ensure that our oceans and marine life are conserved and protected and that the needs of humanity are met - now and in the future.

**THE NGO DECLARATION HAS BEEN ENDORSED BY THE FOLLOWING NON-GOVERNMENTAL ORGANIZATIONS AS OF AUGUST 1995**

ARGENTINA

- \* Sindicato de Obreros Maritimos Unidos - SOMU

AUSTRALIA

- \* Australian Marine Conservation Society

BRAZIL

- \* Associacao Brasileira de Defesa da Ecologia
- \* Associacao Gaucha de Protecao de Ambietal Natural - AGAPAN
- \* Associacao Moradores Amigos da Serra dos Orgaos - AMASO
- \* Conselho Pastoral dos Pescadores
- \* Fundacao Brasileira para Conservacao da Natureza
- \* Grupo Ambientalista da Bahia - GAMBA
- \* Movimento dos Pescadores do Ceara
- \* Movimento Nacional dos Pescadores - MONAPE
- \* Protecao Internacional Contra Crueldade a Animais - PICAP
- \* Sociedade Brasileira para Progresso da Ciencia - SBPC
- \* SOS Sobrevivencia

CANADA

- \* Environmental Coalition/Prince Edward Island - ECO/PEI
- \* The Tatonka Foundation
- \* Reach for Unbleached Foundation

CHILE

- \* Confederacion de Gente de Mar - CONGEMAR
- \* Confederacion Nacional de Pescadores Artesanales de Chile - CONAPACH

COLOMBIA

- \* Federacion Colombiana de Pescadores Artesanales - FECOLPA  
PACIFICO

ECUADOR

- \* Federacion de Organizaciones Pesqueras Artesanales y Afines de Manabi
- \* Federacion Nacional de Cooperativas Pesqueras de Ecuador - FENACOPEC

FIJI

- \* Women and Fisheries Network

FRANCE

- \* Comite Catholique Contre la Faim et pour le Developpement - CCFD

#### GERMANY

- \* Aktion Seeklar - Verein zum Schutz der Meere e.V.
- \* Bund fuer Umwelt un Naturschutz Deutschland e.V. - BUND
- \* Bund gegen de Missbrauch der Tiere e.V.
- \* Bundesverband der Deutschen Fischindustrie und des Fischgrosshandels e.V.
- \* Schutzstation Wattenmeer
- \* World Wide Fund for Nature - WWF (Germany)

#### INDIA

- \* Center for Development Studies
- \* International Collective in Support of Fishworkers - ICSF
- \* National Fishworkers Forum - NFF

#### INDONESIA

- \* BAILEO-Maluku
- \* Fisheries Working Group

#### ITALY

- \* Comitato Internazionale Per Lo Sviluppo Dei Popoli - CISP/MOVIMONDO
- \* Movimento Liberazione e Sviluppo MOLISV-Movimondo

#### MALAYASIA

- \* Asia Pacific Peoples' Environment Network - APPEN
- \* Third World Network

#### MEXICO

- \* Grupo de los Cien
- \* Movimiento Nacional de Pescadores Riberenos
- \* Pacto de Grupos Ecologistas
- \* Red Mexicana del Accion Frente el Libre Comercio

#### NETHERLANDS

- \* Both ENDS
- \* Greenpeace International

#### NICARAGUA

- \* Federacion Nacional Nicaraguense de Pescadores - FENIC PESCA

#### PERU

- \* Federacion de Pescadores del Peru

## PHILIPPINES

- \* PAMALAKAYA

## SENEGAL

- \* Centre de Recherches Pour le Developpement des Technologies Intermediaires de Peche - CREDETIP
- \* Collectif National des Pecheurs Artisanaux du Senegal - CNPS

## SPAIN

- \* AEDENAT
- \* ALIMENTACION Y DESARME
- \* AMIGOS DE LA TIERRA IBIZA
- \* Amigos de los Indios
- \* ASOCIACION PRO DERECHOS HUMANOS
- \* Centro de Investigaciones para la Paz
- \* COMISIONES OBRERAS - CC.OO.
- \* COMISION VASCA EN DEFENSA DE LA AMAZONIA
- \* COOPERACCIO
- \* COORDINADORA DE ONGS PARA EL DESARROLLO (83 member organizations; some of which signed on individually)
- \* Coordinadora de Organizaciones para la Defensa Ambiental - CODA (180 member organizations; some of which signed on individually)
- \* Federacion de Cofradias de Pescadores de Guipuzcoa
- \* Federacion de Cofradias de Pescadores de Vizcaya
- \* Federacion Estatal de Transportes y Telecomunicaciones de la Union General de Trabajadores (UGT), Sector del Mar
- \* Fundacion Largo Caballero
- \* GRAIN
- \* GRUP BALEAR D'ORNITOLOGIA DE FORMENTERA (G.O.B.)
- \* GRUP D'ESTUDIS DE LA NATURALESA (G.E.N.-G.O.B. EIVISSA)
- \* Grupo de Educacion Ambiental Landra
- \* IEPALA
- \* Instituto para la Promocion y Apoyo al Desarrollo
- \* Instituto Sindical de Cooperacion al Desarrollo
- \* INTERMON
- \* Itsas Geroa (Avenir de la mer/Futuro de la mar)
- \* JUSTICIA Y PAZ
- \* LAS SEGOVIAS
- \* Manos Unidas
- \* MEDICOS MUNDI
- \* Movmiento 0.7% - Tercer Mundo
- \* Organizacion de Cooperacion y Solidaridad Internacional
- \* PAZ Y COOPERACION
- \* SIAL
- \* SO DE PAZ
- \* Solidaridad Para el Desarrollo y la Paz
- \* S.O.S. AFRICA - SERVICIO AFRICANO DE SOLIDARIDAD

## USA

- \* Alaska Marine Conservation Network
- \* Antarctica Project

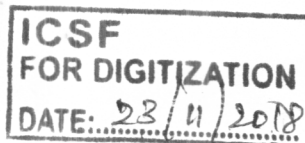
- \* Center for Development of International Law
- \* Fish Forever
- \* International Rivers Network
- \* Mangrove Action Project
- \* Mayaguezanos Por la Salud y El Ambiente (Puerto Rico)
- \* Natural Resources Defense Council - NRDC
- \* Ocean Advocates
- \* Rainforest Alliance
- \* World Federalist Movement

UK

- \* Christian Aid
- \* The Ecologist (magazine)
- \* Environmental Investigation Agency
- \* Intermediate Technology Development Group
- \* Third World First
- \* Wildlife Trusts
- \* Women's Environment Network
- \* World Wide Fund for Nature - WWF (UK)

URUGUAY

- \* REDES/Friends of the Earth Uruguay



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